

**UNITED STATES COURT OF APPEALS
FOR THE
SECOND CIRCUIT**

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 8th day of August, two thousand and fourteen.

Before: Ralph K. Winter,
 Circuit Judge,

Roger H. Kaye, on behalf of themselves and all others
similarly situated, Roger H. Kaye, MD PC on behalf of
themselves and all others similarly situated,

Plaintiffs - Appellants,

v.

Merck & Co., Inc., Medlearning, Inc.,

Defendants - Appellees.

ORDER

Docket No.14-274

Roger H. Kaye, on behalf of themselves and all others similarly situated, Roger H. Kaye, MD PC
on behalf of themselves and all other similarly situated,

Plaintiffs - Appellants,

Docket No.14-1691

v.

Merck & Co., Inc., Medlearning, Inc.,

Defendants - Appellees.

Appellants, through counsel, move to consolidate the above-captioned appeals, withdraw Appellants' brief in appeal 14-274, use the joint appendix filed in 14-274 as the joint appendix for both appeals, and set a consolidated briefing schedule. Appellee Merck & Co., through counsel, separately moves for an extension of time to file its brief pending determination of Appellants' motion.

IT IS HEREBY ORDERED that the motions are GRANTED. Appellants' principal brief is

due September 19, 2014; Appellees' principal brief is due November 12, 2014; and Appellant's reply brief is due November 26, 2014.

For the Court:

Catherine O'Hagan Wolfe,
Clerk of Court

The image shows a handwritten signature in black ink that reads "Catherine O'Hagan Wolfe". The signature is written over a circular official seal. The seal has a red outer ring with the words "UNITED STATES" at the top and "COURT OF APPEALS" at the bottom. Inside the ring, the words "SECOND CIRCUIT" are written in the center, flanked by two small stars on either side.